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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

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Committee On Ways And Means + Civil Action No. 1:19-cv-1974 (TNM)
United States House Of Representatives +
1102 Longworth House Office Building +
Washington D.C. 20515 +
+
Plaintiff +
+ Amendment To Movant's
United States Department Of The +
Treasury et. al. +
1500 Pennsylvania Avenue, N.W. +
Washington D.C. 20220 +
+
Defendants +
++++++
Judge Trevor N McFadden

NOW COMES, Duane Morley Cox, Pro Se, and respectfully files this
Amendment to his Reply, seeking to have the Court consider the following
arguments as part of his Reply.

Arguments

Upon thoughtful reflection, it is now realized that the reason that Defendant
Federal Attorneys who oppose Mr. Cox's Motion To Intervene have not argued the
precedent of **Nixon v. Fitzgerald** in other lawsuits or this one against the
President, Presidency or Executive Branch may be because this precedent is not
based upon an "injury in fact, ie., a concrete or particularized, actual or imminent



invasion of a legally protected interest" as mandated in Lujan v. Defenders of Wildlife, 504 U.S. 555, Held @ 555), instead the constitutional weighting analysis that Plaintiff Committee on Ways & Means was required to produce to justify jurisdiction by this Court was to be based upon 'reasonable hypotheses' of the "interest to be served" Nixon, @ 732 if the tax returns of Mr. Trump and his many business entities were to be obtained by the Committee versus the likely "danger of intrusion on the authority and functions of the Executive Branch" Nixon @ 732 and the possible consequences of such "dangers".

Thus, this precedent requires that Plaintiff's standing as well as Movant's standing be decided on the criteria implied by or inferred from the language of Nixon. Thus requiring only the general requirement which applies to the pleading stage.

"At the pleading stage, general factual allegations of injury ... may suffice." Lujan, @ Pg 561

Thus, in analyzing the relative "Constitutional Weight of the interest to be served" requires Plaintiff's to hypothesize the 'reasonable or likely' legislative outcomes achievable if the tax returns are obtained by the Plaintiff's and to demonstrate that this "Constitutional Weight" is greater than the "Constitutional Weight" of the 'reasonable or likely' "dangers of intrusion on the authority and intrusions of the Executive Branch" which may occur if the consequence of the Legislative Actions necessary to obtain the legislative benefits "distract" the President or otherwise impairs the Executive Branch.

Thus, the standing of Movant to be granted intervention must be based upon the same preliminary standard, for the purpose of Nixon is to avoid substantive "distraction" of the President from the duties to which he was elected, exactly like the Legislature is protected from disruptive lawsuits pursuant to the Speech and Debate clause.

Thus, Nixon operates to preserve the balance of power between the Executive Branch and the Legislative Branch by assuring that the Legislative Branch cannot encumber and interfere with the operations and duties of the President, Presidency or Executive Branch in the just the same manner as the Speech and Debate Clause protects the Legislative Processes and Senators/Representatives from lawsuits which interfere in their ability to perform legislative functions.

For these reasons, Movant argues that he has satisfied the requisite requirements for intervention, especially where he cannot of himself bring a lawsuit to protect his interests against the Plaintiff's because Plaintiff's are protected from such suits by the Speech and Debate Clause.

And in any event this Court is mandated to apply the Precedent of Nixon to Plaintiff's to assure that they have standing and this Court has Jurisdiction to hear this case.

Duane Morley Cox
Duane Morley Cox, Pro Se

Pg 3

3 August 2019
Date

Certificate Of Service

I, Duane Morley Cox, do hereby swear that on 3 August 2019, that I did serve a true and correct copy of the attached Amendment To Reply To Defendant's Opposition To Duane Morley Cox's Motion To Intervene. To the below listed parties by first class mail, postage prepaid.

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3 Aug 2019
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